



OFFICE OF THE CITY CLERK ▪ CITY OF BINGHAMTON

Teri Rennia, City Council President

Angela Holmes, City Clerk

BOARD OF ESTIMATE AND APPORTIONMENT

MEETING MINUTES

DPW Conference Room, 3rd Floor City Hall

Wednesday March 5, 2014

Call to Order. Called to order at 11:18am by Charles Pearsall, Comptroller.

Present: Charles Pearsall, Comptroller; Kenneth J. Frank, Corporation Counsel; Philip T. Krey, City Engineer; Gary Holmes, Commissioner of Public Works

Absent: Richard C. David, Mayor

Also Present: Angela Holmes, City Clerk; Gerald Kennicutt, Deputy Comptroller; Jared Kraham, Executive Assistant to the Mayor; Brian Seachrist, 1st Assistant Corporation Counsel

ITEMS CONSIDERED

Permanent Easement for Portion of 70-72 Court Street. Request to enter into an agreement for a permanent easement for a portion of 72 Court Street, submitted by 33 State Street Associates. Alan Pope, Andrew Urso and Larry Pasquale attended the meeting held January 15, 2014 to discuss the proposal. The Board reviewed this matter, and concluded that any agreement should be limited to the space required for a stairway, but should not include space for a patio. The Board of Contract and Supply approved a Request for Sealed Bids for 70-72 Court Street at a meeting held on February 12, 2014. Such Request for Sealed Bids includes a restriction stating that the sale would be subject to a permanent easement for pedestrian ingress and egress from a basement stairwell at 92 State Street, but that construction above the stairwell would be permitted. Kenneth J. Frank will discuss the details of the permanent easement with Mr. Pope. Item held.

Offer to Purchase/Lease 17 Broad Street. Request to purchase or lease space at 17 Broad Street for a new Verizon Wireless communications facility. Leigh McCullen noted for the record that any development would require Planning Commission approval. Jonathan Yeager met with a representative to identify possible tower locations at 17 Broad Street. The Department of Public Works is continuing conversations with Verizon. Item held.

8 Meadow Street. Offer to Purchase 8 Meadow Street for \$100, submitted by Tonya Dakari on December 23, 2013. Sent to the Assessor's Office, the Office of Building Construction, Zoning & Code Enforcement and the Department of Planning, Housing & Community Development on January 2, 2014. Steve Quinn responded on January 3, 2014, stating that this property is one of several properties that the First Ward Action Council is scheduled to purchase and develop under the City's Restore NY grant application and NYS Tax Credit application. Scott Snyder responded on January 3, 2014, confirming that the property is listed as a Restore NY property. Mayor David met with Jerry Willard from First Ward Action Council, who indicated that they are still slated to receive funding for the development of the property. First Ward Action Council should know the outcome within the next few months. Item held pending confirmation of funding for First Ward Action Council.

Approval of Minutes. Request to approve the minutes from the Board of Estimate and Apportionment meetings held on February 26, 2014.

Motion to approve minutes.

Moved by Frank, seconded by Pearsall.



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Motion carried. (Vote 4-0-1)

Ayes: Pearsall, Frank, Krey, Holmes

Nays: None

Absent: David

77 Pine Street. Request to donate 77 Pine Street to the City of Binghamton, submitted by Luciano Piccirilli of Stephgina Realty, Co., Inc. on February 19, 2014. Sent to the Assessor's Office, the Office of Building Construction, Zoning & Code Enforcement and the Department of Planning, Housing & Community Development on February 20, 2014. Scott Snyder responded on March 3, 2014, stating that he is not in favor of accepting the donation, as the City just sold off excess properties. Snyder suggested that the applicant donate the property directly to Volunteers Improving Neighborhood Environments (VINES). Tom Costello responded on March 4, 2014, stating that his office did not identify any prohibitive factors, but as a building was previously demolished at this site, it might be prudent to conduct a Phase I Environmental Assessment of the property prior to accepting it as a donation. Item held.

109 Liberty Street. Offer to Purchase 109 Liberty Street for \$200, submitted by Laura Race on March 3, 2014. Sent to the Assessor's Office, the Office of Building Construction, Zoning & Code Enforcement and the Department of Planning, Housing & Community Development on March 4, 2014. Scott Snyder responded on March 5, 2014, stating that he is not in favor of this sale. Snyder noted that this property was withheld by PHCD from the list of properties recently sent to auction for some reason. In addition, the applicant does not own the adjoining property. Item held.

Potential Settlement. Review the potential settlement of *Frances Feheley v. City of Binghamton*. Presented by Brian Seachrist, 1st Assistant Corporation Counsel.

Motion to approve the settlement of *Frances Feheley v. City of Binghamton* for up to \$3,065.00.

Moved by Krey, seconded by Holmes.

Motion carried. (Vote 4-0-1)

Ayes: Pearsall, Frank, Krey, Holmes

Nays: None

Absent: David

Adjournment. Motion to adjourn at 11:35am.

Moved by Krey, seconded by Pearsall.

Voice vote, none opposed.